

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI

AARON ROBINSON,)
)
Plaintiff) Case No. 19-0934-CV-W-SRB
)
v.)
)
MIDWEST DIVISION-RMC,LLC,)
KRISTIE BAKER)
)
Defendant)

PLAINTIFF'S MOTION FOR LEAVE TO AMEND TO JOIN ADDITIONAL PARTIES

COMES NOW Plaintiff Aaron Robinson, pursuant to Rule 15(a) and Rule 20(a), and moves the Court for leave to amend his complaint by joining the following additional parties and their claims: Diane Banks, Betty Childress, Yolando Morrison, Felicia Tyler. In support thereof, Plaintiff states:

1. Plaintiff filed this action in Missouri state court on October 4, 2019.
2. Defendants removed the action to federal court on November 20, 2019.
3. Plaintiff filed a motion for leave to amend on January 15, 2020 seeking to file his First Amended Complaint to add a claim under 42 U.S.C. § 1981.
4. Plaintiff seeks leave to amend to file a Second Amended Complaint which would join the following additional parties and their claims: Diane Banks, Betty Childress, Yolando Morrison, Felicia Tyler. (Plaintiff's Second Amended Complaint is attached as Exhibit A.)
5. Federal Rule 15(a) provides that leave to amend the pleadings "shall be freely given when justice so requires."

6. Federal Rule 20(a) allows parties to be joined in an action if the claims to relief arise out of the same "transaction, occurrence, or series of transactions or occurrences" and "any question of law or fact common to all defendants will arise in the action."

7. Plaintiff's motion for leave to amend and join parties should be granted. The parties have only recently submitted their proposed scheduling order and the scheduling conference with the Court is scheduled for January 30, 2020. The proposed deadline for joining parties and amending pleadings is May 15, 2020. Accordingly, there will be no prejudice to Defendants.

8. Like Plaintiff Robinson, the added parties will pursue claims against Defendant under Section 1981 for race discrimination, retaliation, and pattern and practice of racial discrimination. Like Plaintiff Robinson, each of the proposed additional parties are African American individuals subject to the protection of Section 1981. Each of the proposed additional parties are current or former employees of Defendant. Each have experienced discrimination on the basis of their race. Each has experienced retaliation for reporting and complaining about racial discrimination in the workplace.

9. Plaintiff's Suggestions in Support of the Motion are filed contemporaneously with this motion.

WHEREFORE, for the foregoing reasons, Plaintiff respectfully requests the Court grant him leave to join the additional parties and file the attached Second Amended Complaint.

MONSEES & MAYER, P.C.

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served on all counsel of record via the court's electronic court filing system on this 31st day of March, 2020:

/s/ Gene P. Graham, Jr.
Counsel for Plaintiff